

Notice of Allowability

Application No.

10/663,399

Examiner

Hai C Pham

Applicant(s)

BRONSON, BARRY

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 10/04/04.
2. ☒ The allowed claim(s) is/are 1-4, 7, 10-18, 21, 24 and 26-33.
3. ☒ The drawings filed on 15 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Timothy F. Myers on November 12, 2004.

The application has been amended as follows:

IN THE CLAIMS:

- Claim 23:
 - Cancelled claim 23.
- Claim 24:
 - Line 8, changed "on" to --one--.

2. The following is an examiner's statement of reasons for allowance: Claims 1, 7, 12 and 24 are patentable over the prior art patents and printed publications because the label printer system includes a laser head for reading and writing positioned below the disk storage medium wherein the orientation of the storage disk medium is detected and wherein the writing laser writes a symbol set on the thermally-sensitive layer of the storage disk medium when it is detected as being inverted. The combined limitations are not taught by the art of record alone or in combination.

Claim 16 is patentable over the prior art patents and printed publications because the specific label printing method for a disk storage medium in which one or more types of embedded information of pre-recorded data are read to determine the location of one or more alignment marks, which are used to align a completed label according to a predetermined orientation and wherein said one or more alignment marks have been previously printed onto the thermally sensitive layer of the disk storage medium. The combined limitations are not taught by the art of record alone or in combination.

Claims 17, 18 and 33 are patentable over the prior art patents and printed publications because of the specific label printing method for a disk storage medium in which one or more types of embedded information of pre-recorded data are read to determine the location of one or more alignment marks, which are used to align a completed label according to a predetermined orientation and wherein the disk storage medium is ejected according to a predetermined orientation based on the one or more alignment marks. The combined limitations are not taught by the art of record alone or in combination.

Claim 31 is patentable over the prior art patents and printed publications because of the label printer system for writing one or more predetermined symbols to the thermally sensitive layer of a disk storage medium includes means for detecting an empty area on the thermally sensitive layer and means for test printing on the thermally sensitive layer to provide precise position information of the pattern of different colors. The combined limitations are not taught by the art of record alone or in combination.

Claims 2-4, 10-11, 13-15, 21, 26-30 and 32 are allowed because they are directly or indirectly dependent from claims 1, 7, 12 and 24 above.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L Talbott can be reached on (571) 272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HAI PHAM
PRIMARY EXAMINER

November 12, 2004